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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,818	02/28/2002	Bob Janssen	DVME-1019US	1572

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EXAMINER
BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
2195	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/086,818	JANSSEN, BOB
	Examiner	Art Unit	
	Lewis A. Bullock, Jr.	2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 August 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The cited claims detail a functional program without any computer storage medium that would make the functions be realized. M.P.E.P. 2106 details that functional software without a defined computer storage medium such that the functions of the stored program are realized is non-statutory and therefore the claims are non-statutory.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 2, 4, 5 and 7-20 are rejected under 35 U.S.C. 102(e) as being anticipated by HAYES, JR. et al. (U.S. Patent 6,339,826).

As to claim 1, HAYES teaches a method of administering user access to application programs on a computer system, comprising the steps of: providing a user

database (via storing and displaying user and group profiles), comprising a user profile

for each user, providing a task database of tasks (database of applets / applications),

and providing a user-specific list of allowed tasks, comprising allowed application

programs (via generating a list of applets that the user has access to); running a system

administration program (server) to configure the user-specific list of allowed tasks on the

basis of the user profile in the user database and the task database (via the server uses

the information to dynamically build a list of applications to which the user has access

permission which is transmitted to the user's station); a system administration program

detecting a command to execute a tasks (user invokes an applet); and preventing

execution of tasks of which the execution is initiated by the detected command, on

determining that the tasks are not on the list of allowed tasks (via determining whether

the user has access and either allowing the execution or preventing the execution and

notifying the administrator) (see col. 4, line 11 – col. 5, line 26; .col. 7, line 54 - col. 8,

line 23; col. 14, lines 7-49; col. 15, lines 37-58; col. 16, line 50 – col. 17, line 36; col. 18,

lines 30-67; col. 21, lines 33-63).

As to claim 2, HAYES teaches the list of allowed tasks is configured at least once

every time a user has entered a request to log on to the computer system (via the list is

created when the user logs on) (col. 4, lines 28-36).

As to claim 4, HAYES teaches information for linking tasks to other tasks that

invoke the tasks during execution of an application program (via configuration applets

linking to a particular applet to configure the applet for a user or group of users) (see

col. 4, line 11 – col. 5, line 26; .col. 7, line 54 - col. 8, line 23; col. 14, lines 7-49; col. 15,

lines 37-58; col. 16, line 50 – col. 17, line 36; col. 18, lines 30-67; col. 21, lines 33-63).

As to claims 5, 10 and 11, HAYES teaches in a simulation mode, at least one

tasks that is not on the list of allowed tasks is allowed to execute or is prevent, and

tasks started during execution are registered (via the administrator invoking the

run/execute instruction/object for an applet / the administrator indicating that the task is

not allowed to be accessible and having a menu for registering new applets) (see col. 4,

line 11 – col. 5, line 26; col. 7, line 54 - col. 8, line 23; col. 14, lines 7-49; col. 15, lines

37-58; col. 16, line 50 – col. 17, line 36; col. 18, lines 30-67; col. 21, lines 33-63).

As to claim 7 and 8, HAYES teaches a plurality of user groups is defined, a group

membership list is provided with the user database, links being provided between the

tasks in the task database and the groups such that the group membership list is used

to configure the list of allowed tasks (via groups are also configured to have the same

list by the administrator and the administrator can customize the function of applications

accessible by the group for the whole group) (see col. 4, line 11 – col. 5, line 26; .col. 7,

line 54 - col. 8, line 23; col. 14, lines 7-49; col. 15, lines 37-58; col. 16, line 50 – col. 17,

line 36; col. 18, lines 30-67; col. 21, lines 33-63).

As to claim 9, HAYES teaches prevention of the execution of an application

program or task is registered and wherein a notification of the prevention is sent to a

system administrator (via determining whether the user has access and either allowing

the execution or preventing the execution and notifying the administrator) (see col. 4,

line 11 – col. 5, line 26; col. 7, line 54 - col. 8, line 23; col. 14, lines 7-49; col. 15, lines

37-58; col. 16, line 50 – col. 17, line 36; col. 18, lines 30-67; col. 21, lines 33-63).

As to claims 12-16, reference is made to a computer system that corresponds to

the method of claims 1, 2, 4, 5 and 7 and is therefore met by the rejection of claims 1, 2,

4, 5 and 7 above.

As to claims 17-20, reference is made to a computer program that corresponds

to the method of claims 1, 2, 5 and 7 and is therefore met by the rejection of claims 1, 2,

5 and 7 above.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

HAYES, JR et al (U.S. Patent 6,339,826).

As to claims 3 and 6, HAYES teaches generating a list of allowed applications for a particular user (see col. 4, line 11 – col. 5, line 26; col. 7, line 54 - col. 8, line 23; col. 14, lines 7-49; col. 15, lines 37-58; col. 16, line 50 – col. 17, line 36; col. 18, lines 30-67; col. 21, lines 33-63). However, HAYES does not explicitly mention that the allowed applications are determined based on a certain time or location. Official Notice is taken in that it is well known in the art that access restrictions made by administrators would indicate time restrictions and therefore would be obvious in view of HAYES in order to manage access to stored applications by users.
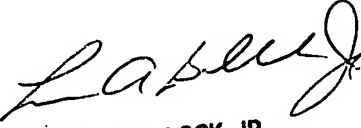
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 28, 2006

LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER